IN THE HIGH COURT OF BOMBAY AT GOA.

CIVIL REVISION APPLICATION NO. 193 OF 2002.

1. Govind Shamba Sawant,
2. Vassanti Govind Sawant,
3. Smt. Tarabai Sawant,
   All r/o Sawantwadda,
   Mandrem, Goa. ... Applicants.

Versus

1. Hira Atmaram Sawant
2. Shakuntala Sawant
3. Dattaram Atmaram Sawant
4. Neeta Atmaram Sawant
   All r/o Sawantwadda,
   Mandrem, Goa.
5. Namdev Arjun Parab
6. Navtara Namdev Parab
   both r/o Varkhand,
   Pernem, Goa.
7. Ramnath Chintu Shet
   Gaonkar,
8. Rajan Ramnath Shet
   Gaonkar,
   both r/o Umarbag,
   Morjim, Goa. ... Respondents.

Mr. R.V. Kamat, Advocate for the Applicants.

Coram: P.V. HARDAS, J.

Date: 12th September 2002.

ORAL JUDGMENT.

By consent, this revision is taken up for final disposal at the stage of admission.

2. This revision challenges the Order of the learned Civil Judge, Junior Division, Pernem, dated 20th February 2002, partly allowing the application for amendment of the written statement filed by the present applicants/defendants. The learned trial Court had rejected the proposed amendment by which details of

tenancy was sought to be urged before the Court.

3. I have heard Mr. Kamat, the learned counsel appearing for the applicants. The learned trial Court by its Order, which is a well reasoned Order, has disallowed the proposed amendment giving details of tenancy. The learned trial Court has held that it was a suit for partition among the co-owners and the details of tenancy regarding some of the defendants was not necessary to decide the issue of partition.

4. I have perused the Order impugned in the present revision. The learned trial Court has judiciously exercised its discretion. It cannot be said that the trial Court has exercised its jurisdiction with any material irregularity. In view of this, I do not see any merit in the revision and the revision deserves to be dismissed.

5. Civil Revision Application is, accordingly, dismissed with no order as to costs.

(P.V. HARDAS)
JUDGE.

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